

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**Barry Wayne Buchanan and Louise P.  
Buchanan**

**Case No. 11-80461**

S.S. Nos.: xxx-xx-5740 and xxx-xx-2583

Mailing Address: 1829 Front Street Apt F-10, Durham, NC 27705-

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on March 18, 2011.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: April 6, 2011

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtors  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

<b>CH. 13 PLAN - DEBTS SHEET</b> (MIDDLE DISTRICT - DESARDI VERSION)				Date: 2/3/11			
				Lastname-SS#: Buchanan-5740			
<b>RETAIN COLLATERAL &amp; PAY DIRECT OUTSIDE PLAN</b>							
Retain	Creditor Name	Sch D #	Description of Collateral				
	Verizon Wireless		Cell Phone				
<b>SURRENDER COLLATERAL</b>							
Creditor Name		Description of Collateral					
bank of America		Townhome					
Bank of America		Townhome					
Key Bank		Houseboat					
Wells Fargo		06 Hummer H2					
<b>ARREARAGE CLAIMS</b>							
Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)			
				**			
				**			
				**			
				**			
				**			
				**			
				**			
				**			
				**			
<b>REJECTED EXECUTORY CONTRACTS/LEASES</b>							
Creditor Name		Description of Collateral					
Inland Sea Marina		Dock Lease					
<b>LTD - DOT ON PRINCIPAL RESIDENCE &amp; OTHER LONG TERM DEBTS</b>							
Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		
<b>STD - SECURED DEBTS - FMV</b>							
Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				5.00			
				5.00			
				5.00			
				5.00			
<b>STD - SECURED DEBTS - 100%</b>							
Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				5.00			
				5.00			
				5.00			
				5.00			
				5.00			
<b>ATTORNEY FEE (Unpaid part)</b>		<b>Amount</b>					
Law Offices of John T. Orcutt, P.C.		\$2,800					
<b>SECURED TAXES</b>		<b>Secured Amt</b>					
IRS Tax Liens							
Real Property Taxes on Retained Realty							
<b>UNSECURED PRIORITY DEBTS</b>		<b>Amount</b>					
IRS Taxes		\$1,851					
State Taxes							
Personal Property Taxes							
Alimony or Child Support Arrearage							
<b>CO-SIGN PROTECT (Pay 100%)</b>		Int. %	Payoff Amt				
All Co-Sign Protect Debts (See*)							
<b>GENERAL NON PRIORITY UNSECURED</b>		<b>Amount**</b>					
DMI= None(\$0)		None(\$0)					
<b>PROPOSED CHAPTER 13 PLAN PAYMENT</b>							
\$ <b>\$141</b>		per month for		<b>36</b>		months, then	
\$ <b>N/A</b>		per month for		<b>N/A</b>		months.	
Adequate Protection Payment Period:				<b>21.08</b> months.			
Sch D # = The number of the secured debt as listed on Schedule D.							
Adequate Protection = Monthly 'Adequate Protection' payment amt							
† = May include up to 2 post-petition payments.							
* Co-sign protect on all debts so designated on the filed schedules							
** = Greater of DMI x ACP or EAF (Page 4 of 4)							
Ch13Plan_MD (DeSardi Version 1/12/10) © LOJTO							
<b>Other Miscellaneous Provisions</b>							
Plan to allow for 3 "waivers".							

## **CERTIFICATE OF SERVICE**

I, Kaelyn McCollum, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum  
\_\_\_\_\_  
Kaelyn McCollum

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

BAC Home Loans Servicing, LP  
Attn: Managing Agent  
Customer Service CA6-919-01-41  
Post Office Box 5170  
Simi Valley, CA 93062-5170

Markel American Insurance Compa  
Otc - The Lake Insurance Agency, Ir  
PO Box 189  
Cornelius, NC 28031

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Bank of America  
Post Office Box 15026  
Wilmington, DE 19850-5026

Mecklenberg County Tax Collector  
Bob Walton Plaza  
700 E. Stonewall Street  
Charlotte, NC 28202

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

Child Support Enforcement  
Post Office Box 20800  
Raleigh, NC 27619-0800

North Carolina Department of Rev  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Credit Bureau of Greensboro\*\*  
Post Office Box 26140  
Greensboro, NC 27402-0040

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

Private Diagnostic Clinic, PLLC  
5213 South Alston Avenue  
Durham, NC 27713

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

GEMB/QVC  
Post Office Box 103104  
Roswell, GA 30076

The Law Firm of Hutchens, Sente  
& Britton  
Post Office Box 1028  
Fayetteville, NC 28302-1028

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Internal Revenue Service (MD)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

Internal Revenue Service (ED)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

KeyBank Consumer Client Services  
Attn: Managing Agent  
PO Box 5778  
Cleveland, OH 44101

Villages @Harborside Association  
c/o CSI Property Management  
PO Box 531135  
Atlanta, GA 30353

Wells Fargo Dealer Services  
Attn: Managing Agent  
PO Box 25341  
Santa Ana, CA 92799

WFCB Bankruptcy Department  
Post Office Box 183043  
Columbus, OH 43218-3043